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Hearing: January 29, 2009 10:00 a.m.  
Objections Due: January 27, 2009

*Attorneys for Cole CC Groveland FL, LLC  
and Cole CC Aurora CO, LLC*

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

IN RE: ) CASE NO. 08-35653-KRH  
 ) Chapter 11  
 CIRCUIT CITY STORES, INC., et al. ) (Jointly Administered)  
 )  
 Debtors. )

**NOTICE OF MOTION  
AND NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that Cole CC Taunton MA, LLC, as successor to CYPRESS/CC TAUNTON I, L.P, has filed its *Motion of Cole CC Taunton MA, LLC for an Order Compelling the Debtors to Perform Timely all Lease Obligations Including the Payment of Post-Petition Rent Pursuant to 11 U.S.C. § 365(d)(3)* (the “Motion”).

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the Court to grant the relief sought, you must do the following:

1. You must file with the Court a written response to the Motion pursuant to Local Bankruptcy Rule 9013-1 no later than **January 27, 2009**. The Court is located at:

Clerk of the Court  
United States Bankruptcy Court  
701 East Broad Street  
4<sup>th</sup> Floor  
Richmond, Virginia 23219

2. You must also mail a copy to the following persons:

Peter J. Barrett, Esquire  
KUTAK ROCK LLP  
1111 East Main Street, Suite 800  
Richmond, Virginia 23219-3500

Robert B. Van Arsdale, Esquire  
Office of the U.S. Trustee  
701 East Broad Street, 4<sup>th</sup> Floor  
Richmond, Virginia 23219

3. You must also attend the hearing to consider the relief sought in the Motion in addition to filing a written response. If you fail to file timely a written response and to attend the hearing, the Court may consider any objection you may have waived and enter an Order granting the relief requested. The hearing is scheduled for **January 29, 2009 at 10:00 a.m.**, at the United States Bankruptcy Court, 701 East Broad Street, Court Room 5000, Richmond, Virginia 23219.

January 12, 2009  
Richmond, Virginia

**COLE CC TAUNTON MA, LLC**

By /s/ Kimberly A. Pierro  
Counsel

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*Attorneys for* COLE CC GROVELAND FL,  
LLC and COLE CC AURORA CO, LLC

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that on January 12, 2009, a true and exact copy of the foregoing objection was forwarded via ECF notification to the following necessary parties or their counsel as set forth in the Order Establishing Certain Notice, Case Management, and Administrative Procedures entered November 13, 2008: (i) the Office of the United States Trustee for the Eastern District of Virginia, (ii) the Debtors and bankruptcy co-counsel, (iii) counsel to the Official Committee of Unsecured Creditors, (iv) counsel to the agents for the Debtors' pre-petition lenders, (v) counsel to the agents for the Debtors' post-petition lenders, and (vi) all parties that have requested notice pursuant to Bankruptcy Rule 2002.

/s/ Kimberly A. Pierro  
Counsel